

DEALERS IN SILVER CALLED TO ACCOUNT.

The Heads of Several Prominent Firms Indicted for Alleged Frauds.

Said to Have Sold Goods Below the Standard of Purity Established by Law.

DRY GOODS MEN RETALIATE IN KIND.

Nearly a Year Ago Many of the Latter Were Indicted and Now They Turn the Tables on Manufacturers and Wholesalers.

Several of the most prominent manufacturers of silverware in the city and some wholesale dealers were yesterday summoned to answer before Justice Newburger, in General Sessions, to indictments for violating the section of the Penal Code which provides that all silver goods stamped "sterling" must be made of metal at least 925 fine. The indicted firms are Tiffany & Co., the Gorham Manufacturing Company, Theodore B. Starr, the Whiting Manufacturing Company, Black, Starr & Frost, Thomas Kirkpatrick, Robert C. Black, Aaron V. Frost, F. M. Whiting & Co. and George W. Shiebler.

The misdemeanor for which they are indicted is punishable by imprisonment or fine. The imprisonment may not exceed six months and the fine must not be more than \$500.

Lawyer Delos McCurdy, who appeared for all the defendants, entered a plea of not guilty, with the privilege of entering demurrers to each indictment before April 1, for which date the trials are set. The defendants did not appear in person, and were paroled in the custody of their counsel.

A MEASURE OF RETALIATION.
Less than a year ago the Retail Jewellers' Association obtained indictments against the heads of a dozen prominent department stores for the same offence. The dry goods men at once set about to turn the tables. They sent agents to the stores of the silver-smiths to purchase just such trinkets of silver as had been used in evidence against the dry goods men. In fact, it is alleged that they were the same goods, made by the

same manufacturers as those for which the dry goods men were indicted for selling.

"Perhaps the matter would have rested there," said E. W. Bloomington, of Bloomington Brothers, who has led in the fight against the silverware men, "had not some of the silverware men since indicted by the March Grand Jury taken a very despicable advantage of the action of the May Grand Jury, and advertised broadcast throughout the State that the department stores sold bogus goods. Then we became angry, and took the samples we had bought at their stores to H. S. Horrey, the Government assayer at the Sub-Treasury. To our surprise we found some of the articles less than .400 pure. One case in particular is that of a pencil marked 'sterling,' which we bought for \$2.50. It is not worth 75 cents. The assayer assures us that there is less than a quarter's worth of silver in it. There is a very thin coating of silver, and the rest of the metal is pure brass. The silver alone is \$40 fine, and the whole article 240. Not one of the samples submitted to the Grand Jury is more than .900 pure. We had forty-two assays made, and in only two instances were the goods up to the standard required by law.

ALLEGED COMMERCIAL JEALOUSY.
"The silverware manufacturers have brought this upon themselves. They have not the excuse that we dry goods men had, that we did not know the component parts of the metal used. The act was originally smuggled through the Legislature in order to give the silver men some way to discredit the department stores, because they found that we were underselling them. We have been considerably amused by these little trinkets. The vice-president of one company stated last Wednesday, before a committee of the Senate, that it was impossible for his firm to sell goods below the standard, because they are careful to assay the silver before working it up. If he told the truth, it will be rather embarrassing for him to explain how they came to sell goods so far below the standard as those we have.

"We believe that this prosecution will dispose of the statement so frequently made that the cheapness of goods sold by the department stores is caused by any inferiority in quality."

Among the dry goods firms indicted last May, are Bloomington Brothers, R. H. Macy & Co., Stern Brothers, Simpson, Crawford & Simpson, Hearn & Co., and Adams & Co. They protested that they were not manufacturers, and were innocent of any intentional wrong. The men who collected the evidence in the present case against the silver men are Oscar Siesel, buyer for Bloomington Brothers; George S. Noyes and Charles J. Rosenbault, Secretary of the Retail Dry Goods Association.

Lawyer I. H. Kramer, of Horwitz & Herschfeld, the attorneys for the dry goods men, said:

"The law is certainly very unjust to the dry goods men. There is, however, no malice on their part in this present action. They only desire fairness."
One of the indicted silver men is George W. Shiebler. He said:

"If we have sold any little trinkets that are below the standard, they are not of our own manufacture, but are sold merely as an accommodation to our customers, and we did not know of their composition. If we find that they are not .925 fine, we will no longer buy of those manufacturers."

This seems to be the general sentiment among the indicted jewellers, and it is said that they have determined not to fight the case, but rather to urge a trial and to stand the penalty if found guilty in order to establish a precedent and protect their customers.

WORE HER HUSBAND'S CLOTHES

Mrs. Chaimovitz Says He Refused to Give Her Proper Apparel.

Mrs. Fanny Chaimovitz has commenced an action against her husband, Harris, for a limited divorce. She alleges cruel and inhuman treatment, and says that her husband failed to properly provide for her support. In her complaint she avers that she was compelled to wear her husband's clothing for want of proper apparel.

The Chaimovitzs were married in October, 1871. They went to live at No. 258 East Seventy-fourth street, where the husband opened a modest tailoring shop. Their domestic happiness was untroubled until May, 1891. Then, Mrs. Chaimovitz says, her husband commenced to abuse her. Occasionally he would strike her. Things grew worse until December, 1895, when the tailor attacked his wife with a pair of shears. At the same time Chaimovitz accused her of being unfaithful. The wife could stand her husband's blows, but not his reproaches. Hence the suit for divorce.

INSPECTORS SAW HIM STEAL.

Mail Carrier Caught Purloining Registered Letters.

A number of complaints have been received during the last three months that registered mail packages containing money and valuables posted at Dobbs Ferry failed to reach their destination. Postal Inspectors Morris and Coleman last Monday watched Michael A. Lydon, a mail carrier, of Dobbs Ferry, and saw him cut a slit in a canvas pouch containing registered letters, through which he extracted one. He then hung the pouch upon the catching post at the railroad station. When arrested Lydon admitted the theft of that and other letters. He was arraigned yesterday before United States Commissioner Alexander and held in \$2,000 bail.

ALL WANT THE STATE MEET

Syracuse and Utica Will Urge Claims For the Cycle Races.

Brooklyn May Get the New York Division Championships a Second Time.

TO BE INCLUDED IN THE CIRCUIT

Cities Applying for Dates Must Include at Least Two Professional Events in Their Programmes to Receive Consideration.

It may be that the Spring meet of the New York State Division, L. A. W., will take place again this year in Brooklyn, this time under the auspices of the Brooklyn Bicycle Club. The success that attended the division meet last year at Manhattan Beach was not equalled during the remainder of the season at the track "swept by ocean breezes," and unless one of the several cities up the State which are now after the annual gathering displays a certain amount of enterprise within the next fortnight, the plum will be awarded to Brooklyn.

As the meet was held there in 1895, it is only fair to give other cities after the honor a reasonable opportunity to make good their claims.

Utica is the most prominent candidate in the field, and the Wheelway League of Oneida County has the matter under advisement. President C. D. White recently wrote for information, and a definite reply from him is daily expected. The Wheelway League and the Utica Cycling Club may want to pool issues and run the meet jointly. Two days of racing will be held, and it has been practically decided to run all the State championships this year at the State meet.

The same plan is under consideration for the national meet at Louisville, and it is argued that the result will be much more satisfactory than to dole the events out to different cities, as was done last year. Syracuse, where several highly successful State meets have been held, is another city that has betokened an inclination to obtain the prize this year, and correspondence has passed between the officers of the Syracuse Athletic Association and Chief Consul Porter.

The division meet will be included in the New York State circuit, and thus far the following cities have secured places in the line: Rochester, Utica, Ilion, Cohoes, Albany and Brooklyn. Applications are also

expected from a dozen other places which have written for information. The only stipulation made to obtain a date in the circuit is that at least two professional events be provided for the many riders who will begin in the East in June anxious to compete for money prizes.

MEMPHIS TRACK NOTES.

Horses Getting Rapidly into Condition. Many Departures for the Meeting at Little Rock.

Memphis, Tenn., March 25.—Trainers at Montgomery Park are taking advantage of the present delightful weather by sending their horses along at a rapid clip.

This morning Captain S. S. Brown's two fillies Truflight, by Troubadour—Sunlight, and Performance, by Troubadour—Matinee, worked a half in 0:50 flat. This is the best yet shown by any of the youngsters, and is within one second of the track record, held by Rosie A., three years old, carrying 90 pounds, made nine years ago.

Flying Dutchman, the premier of Pat Dunne's stable, worked five furlongs in 1:07½. Willie Martin was up and held him with a tight rein all of the distance. Train A, belonging to Chris Smith, worked a mile handily in 1:40½. She is in great form and about ready to race. Captive and Frontier, Pat Dunne's Tennessee Derby candidates, were breezed six furlongs in 1:25. Captive showed up well, and will be a hard horse to beat in all the big events in the West this year.

Fourteen horses were shipped to Little Rock this forenoon, including George F. Smith (Tom Kiley's fast sprinter), Towerst, a maiden three-year-old, and two two-year-olds (also belonging to Kiley), John W. Schorr's Emura, Key Del Mar, belonging to Eddie Bunn, and three two-year-olds in Charles Patterson's string.

Captain James H. Rees, who has been the presiding judge at the Ingleside track, in San Francisco, arrived yesterday, and returns Saturday. He says racing will be continued on the Pacific Slope until the middle of May. J. F. Caldwell, who handles the flag here, arrived yesterday. He departs for Little Rock Friday, where he officiates as starter at the meeting there, which begins Saturday next.

NO BRIDGE TOLL FOR CYCLERS.

Wheelmen May Ride To and From Brooklyn Free Over the Span.

The roadways of the Brooklyn Bridge were made free to wheelmen yesterday morning, in accordance with the bill which was signed by Governor Morton on Friday last. The Board of Trustees of the Bridge received a copy of the law Tuesday afternoon, and President Howell issued a notice yesterday morning officially announcing that the roadways were free to riders. A great many wheelmen availed themselves of the pleasant weather yesterday afternoon and crossed to Brooklyn without being inconvenienced by stopping and paying care.

Superintendent Martin of the Bridge said yesterday afternoon that while in the past the Trustees had deemed it advisable to ex-

act a toll from wheelmen, which began at three cents and eventually came down to one cent, he believed that the present bill was perfectly satisfactory to every one connected with the management of the Bridge, although until it was passed the fee of one cent was continued in the belief that the Board had no authority to abolish it without the consent of the Legislature.

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A PAGE OF FASHION NOVELTIES.

MAGNIFICENT COURT DRESSES

Of the American Women Who Were Presented to the Queen at the Royal Reception Last Week.